IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. CIVIL WRIT PETITION NO. 229/2004

SIKAR KENDRIYA SAHKARI BANK LIMITED
Vs.
REGIONAL PROVIDENT FUNDS COMMISSIONER, JAIPUR

DATE: 31.10.2007.

HON'BLE MR. JUSTICE K.S. RATHORE

Mr. R.K. Sharma for the petitioner.
Mr. R.B. Mathur with
Mr. Brij Sharma for the respondents.

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Learned counsel for the respondents has raised objection that this writ petition is not maintainable as the petitioner has got alternative efficacious remedy under Section 7(I) of the Employees Provident Funds & Misc. Provisions Act (for short 'the EPF & MP Act') before the Appellate Tribunal.

Learned counsel for the petitioner submits that at the time of filing of this writ petition, Appellate Tribunal was not functioning and now he wishes to file appeal before the Appellate Tribunal.

In the interest of justice and looking to the fact that bonafidely time consumed in this writ petition, this Court deem it proper to give 15 days' time to file appeal. In case the petitioner files an

appeal under Section 7(I) of the EPF & MP Act within the aforesaid period, then the same may be considered within limitation, failing which the Appellate Tribunal is at liberty to pass appropriate order on the point of limitation and if the appeal is filed within 15 days, the same shall be considered on its merit.

With these observations, the writ petition stands disposed of.

The interim order dated 19.01.2004 granted by this Court stands rejected. The stay application also stands dismissed.

(K.S. RATHORE),J.

/KKC/